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Attorney for *Mario Castro*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO CASTRO,

Defendant.

Case No. 2:19-cr-00295-GMN-NJK

**FIFTH STIPULATION TO MODIFY
CONDITIONS OF RELEASE**

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, and Department of Justice Trial Attorney Timothy T. Finley, counsel for government, and Richard E. Tanasi, counsel for defendant Mario Castro, that Mr. Castro's conditions of release be modified to permit travel to California for work purposes.

This Stipulation is entered into for the following reasons:

1. On August 18, 2020, the parties stipulated to Mario Castro's temporary pretrial release based, in part, on Mr. Castro's health condition and the transmission of COVID-19 at the Nevada Southern Detention Center. ECF No. 134. The parties proposed several conditions for Mr. Castro's release. *Id.*

2. On August 26, 2020, the Court granted Mr. Castro's pretrial release on conditions, one of which required him to maintain employment. ECF No. 137 and 141 at p. 5.

1 3. On October 14, 2021, this Court modified Mr. Castro's conditions of release to
2 expand his travel restriction to include the states of Nevada and California in order for Mr.
3 Castro to be able to become full-time employed as an interstate truck driver transporting
4 vegetables from Southern California to Las Vegas for his employer. ECF No. 225.

5 4. After the modification of his pretrial release permitting his travel to California
6 for work purposes, Mr. Castro learned that his purchased commercial truck did not comply with
7 California regulations. As a result, on January 5, 2022, Mr. Castro applied to this Court for an
8 order permitting him to travel to Arizona and Utah instead of California. ECF No. 247. On the
9 same day, the Court granted his requested modification, and removed previously granted
10 modification for travel to California. ECF No. 248.

11 5. Since the last modification order (ECF No. 248), Ashley Castro, owner of VIK
12 Transport, LLC has informed Defendant Mario Castro and his undersigned counsel that she is
13 currently operating a 2015 Volvo semi truck. She is currently doing business in Arizona and
14 Utah, but mainly California. California law requires a 2010 or newer operating vehicle. Ashley
15 Castro has a job offer for Defendant Mario Castro requiring travel to California/Nevada.
16 Defendant Mario Castro is currently experiencing financial hardship and permitting his
17 employment travel to and from California will give him the opportunity to earn more wages.

18 6. Counsel for Mr. Castro has contacted his supervising pretrial services officer,
19 Officer McKillip, who has no objection to Mr. Castro's request. The government also does not
20 oppose this request.

21 DATED this 7th day of April 2022.

22 By /s/ Richard Tanasi

23 RICHARD TANASI
24 Counsel for Defendant

By /s/ Timothy T. Finley

TIMOTHY T. FINLEY
Counsel for Government

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARIO CASTRO,

7 Defendant.

Case No. 2:19-cr-00295-GMN-NJK

PROPOSED ORDER

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9 Pending before the Court is the parties' fifth stipulation to modify conditions of pretrial
10 release. The parties ask the Court to modify Defendant's pretrial release conditions to permit
11 him travel to California for work purposes. The parties submit that Defendant's Pretrial Services
12 Officer does not object to this request.

13 IT IS ORDERED that the parties' stipulation, is hereby GRANTED.

14 DATED this 7th day of April 2022.

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17 UNITED STATES MAGISTRATE JUDGE
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